

Issuance Date: December 8, 1997
Effective Date: March 1, 1998
Expiration Date: December 8, 2002

BOATYARD NATIONAL POLLUTANT DISCHARGE ELIMINATION
SYSTEM
WASTE DISCHARGE GENERAL PERMIT

State of Washington
DEPARTMENT OF ECOLOGY
Olympia, Washington 98504-8711

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage by this permit are authorized to discharge in accordance with the special and general conditions which follow.

Megan White, P.E. Manager
Water Quality Program
Washington State Department of Ecology

FACILITY SPECIFIC COVER PAGE

Facility Specific No:
Issuance Date:
Expiration Date:
Coverage Date:

<+Owner>
<+Facility Name>
<+Street Address>
<+P.O. Box>
<+City, State, Zip>
<+Phone Number>

Meets the criteria for coverage under the General Boatyard National Pollution Discharge Elimination System Waste Discharge Permit.

Plant Location:

<+P.O. Box>
<+FACILITY LOC.>

Receiving Waters:

<+RECEIVING WATER>

Industry Type:

Boatyard

Discharge Location:

<+LATITUDE>
<+LONGITUDE>

Water Segment Number:

<WATER SEGMENT NUMBER>

Receiving Water Classification:

Class: <WQ STAND>

<+REGIONAL SUPERVISOR>
<+REGION> Region Supervisor
Water Quality Program

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Summary of Permit Submittals and Monitoring Requirements

Permit Section	Submittal	Frequency	Submittal Date
S2	Pressure Wash Wastewater Monitoring Results	June and September	Fifteenth day of the month following sample collection
S2	Stormwater Monitoring Results	May, June, September and October	Fifteenth day of the month following sample collection
G1	Notice of Change in Authorization	As necessary	
G8	Application for permit renewal	1/permit cycle	180 days before permit expiration

Definitions

When used in this permit, the following terms have the meanings given below.

"Bilge water" means water from a boat's bilge spaces, whether single or double hulled.

"Date of coverage" means the date that the individual facility (identified on the Facility Specific Cover Page) is authorized to discharge under the conditions of this general permit.

"First flush" means the first 30 minutes, or as soon thereafter, of the formation of a discrete storm water discharge.

"Grab" sample is a single sample or measurement taken at a specific time or over as short period of time as is feasible.

"Leachate" means water or other liquid that has been contaminated by dissolved or suspended materials due to contact with solid waste or gases there from.

"Maximum Daily Discharge Limitation" means the highest allowable "daily discharge."

"NTU" means Nephelometric Turbidity Unit(s). A nephelometer is a method for determining turbidity in a water sample.

"Pressure washing" means the use of a water pressure washer to remove paint or biological growth from a vessels hull. "Pressure washing" includes the practice of hand scrubbing and rinsing with low pressure water from a hose.

"Pressure wash wastewater" means water which has been used to pressure wash, brush clean, or chemically clean boat hulls.

"Putrescible waste" means solid waste which contains material capable of being decomposed by micro-organisms.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Sheet flow" means runoff which flows over the ground surface as a thin, even layer, not concentrated in a channel.

"Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities. This includes all liquid, solid and semisolid, materials which are not the primary products of public, private, industrial, commercial, mining, and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage, from septic tanks, woodwaste, dangerous waste, and problem wastes.

"Storm water" means storm water runoff, snow melt runoff, surface runoff, road wash waters related to road cleaning or maintenance, infiltration (other than infiltration contaminated by seepage from sanitary sewers or by other discharges) and drainage.

"TR" means Total Recoverable metal.

"Turbidity" means the optical property that causes light to be scattered and absorbed rather than transmitted in straight lines through a water sample. Turbidity in water is caused by suspended matter, such as clay, silt, finely divided organic and inorganic matter, soluble colored organic compounds, and plankton and other microscopic organisms.

"Waters of the State" means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Special Conditions

S1. Permit Coverage

A. Boatyard Activities

A boatyard, as defined for the purpose of this permit, is a commercial business engaged in the construction, repair and maintenance of small vessels, 85% of which are 65 feet or less in length or revenues from which constitute less than 85% of gross receipts. Services typically provided include, but are not limited to: pressure washing hulls, painting and coating, engine and propulsion system repair and replacement, hull repair, joinery, bilge cleaning, fuel and lubrication system repair and replacement, welding and grinding of hull, buffing and waxing, marine sanitation device (MSD) repair and replacement, and other activities necessary to maintain a vessel. This definition extends to mobile facilities as well.

Boatyards which only provide the following services or conduct boatyard activities exclusively indoors **do not** require coverage under this permit: use of tidal grids solely for emergency repair and marine surveys, engine repair or maintenance within the engine space without vessel haul-out, topside cleaning, detailing and bright work, electronics servicing and maintenance, MSD servicing and repair that do not require haul-out, vessel rigging, minor repairs or modifications to the vessel's superstructure, deck and hull above the waterline which are not extensive (i.e. 25% or less of the vessel's surface area above the waterline).

Boatyards shall comply with all conditions specified within this permit.

B. Geographic Area Covered

The geographic area covered by this general permit shall be the entire State of Washington.

S2. Discharge Limitations and Monitoring Requirements

A. Pressure Wash Wastewater

1. Prohibitions

Permittees shall not discharge pressure wash wastewater to any surface water of the state.

2. Discharges to Non-Delegated Sanitary Sewer Systems

Permittees are authorized to discharge pressure wash wastewater to a municipal sanitary sewer operated by a sewer authority without a delegated pretreatment program in accordance with the following effluent limitations and monitoring schedule:

Category	Parameter	Maximum Daily	Sample Point	Minimum Sampling Frequency	Sample Type
Pressure Wash Wastewater	Total Recoverable Copper	2.4 mg/L	Discharge from Pressure Washing System	June and September	Grab
“	Total Recoverable Zinc	3.3 mg/L	Discharge from Pressure Washing System	June and September	Grab
“	Total Recoverable Lead	1.2 mg/L	Discharge from Pressure Washing System	June and September	Grab

NOTE: Maximum daily effluent limitation is the highest allowable daily discharge.

3. Discharges to Delegated Municipal Sanitary Sewer Systems

Permittees may discharge pressure wash wastewater to a sanitary sewer system operated by a municipality with a delegated pretreatment program provided they receive a discharge authorization from the delegated municipality. Monitoring and reporting requirements will be determined by the municipality. All such discharges shall comply with any applicable sewer use ordinances adopted by the municipality.

B. Stormwater

1. Prohibitions

Stormwater discharges shall not cause a visible change in turbidity or color; or cause a visible oil sheen in the receiving water.

2. Discharges to Surface Waters of the State

Stormwater discharges shall be monitored at all permitted boatyards. Samples shall be collected from a consistent location not effected by non-boatyard related activities. If stormwater runoff is sheet flow than a collection point shall be constructed to collect an adequate sample volume. It is recommended that the samples be collected during the first flush of the storm event. If stormwater

discharges do not occur during the sampling period, then it shall be indicated on the Discharge Monitoring Report (DMR) for that monitoring period. If this occurs, two samples shall be collected and analyzed during the following month. Stormwater shall be monitored in accordance with the following monitoring schedule:

Category	Parameter	Units	Sample Point	Minimum Sampling Frequency	Sample Type
Stormwater	Oil and Grease	mg/L	Consistent Location	May, June, September and October	Grab
"	Total Recoverable Copper	ug/L	Consistent Location	May, June, September and October	Grab
"	Total Suspended Solids	mg/L	Consistent Location	May, June, September and October	Grab

Samples and measurements taken to meet the requirements of this permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition such as bypasses, upsets and maintenance-related conditions affecting effluent quality.

D. Analytical Procedures

Sampling and analytical methods used to meet the water and wastewater monitoring requirements specified in this permit shall conform to the latest revision of the *Guidelines Establishing Test Procedures for the Analysis of Pollutants* contained in 40 CFR Part 136 or to the latest revision of *Standard Methods for the Examination of Water and Wastewater* (APHA), unless otherwise specified in this permit or approved in writing by the Department.

Metals shall be analyzed as follows:

Copper using inductively coupled plasma and method number 220.7 from 40 CFR Part 136. The method detection limit (MDL) is 3 ug/L and the practical quantitation limit (PQL) is 15 ug/L.

Zinc using inductively coupled plasma and method number 200.7 from 40 CFR Part 136. The method detection limit (MDL) is 2 ug/L and the practical quantitation limit (PQL) is 10 ug/L.

Lead using inductively coupled plasma and method number 200.7 from 40 CFR Part 136. The method detection limit (MDL) is 20 ug/L and the practical quantitation limit (PQL) is 100 ug/L.

Oil and grease shall be analyzed as follows:

Using USEPA method number 413.1 from 40 CFR Part 136 or equivalent.

Total suspended solids shall be analyzed as follows:

Using USEPA method number 160.2 from 40 CFR Part 136 or equivalent.

E. Laboratory Accreditation

All monitoring data required by the Department shall be prepared by a laboratory registered or accredited under the provisions of, *Accreditation of Environmental Laboratories*, Chapter 173-50 WAC.

S3. Reporting and Recordkeeping Requirements

The Permittee shall monitor and report in accordance with the following conditions. The falsification of information submitted to the Department shall constitute a violation of the terms and conditions of this permit.

A. Reporting

Monitoring results shall be submitted in accordance with the minimum sampling frequencies specified in Sections S2 of this permit. All data collected during the months being monitored shall be submitted to the Department. Monitoring data collected during the previous month shall be summarized and reported on a form provided, or otherwise approved, by the Department, and be received no later than the 15th day of the month following the completed reporting period, unless otherwise specified in this permit. The report(s) shall be sent to the appropriate regional office of the Department of Ecology. (See Appendix A)

B. Records Retention

The Permittee shall retain records of all monitoring information for a minimum of three years. Such information shall include all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by the Director.

C. Recording of Results

For each measurement or sample taken, the Permittee shall record the following information on a form provided by the Department: (1) the date, exact place, method, and time of sampling; (2) the individual who performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by this permit then the results of this monitoring shall be retained at the facility.

E. Noncompliance Notification

In the event the Permittee is unable to comply with any of the permit terms and conditions due to any cause, the Permittee shall:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, and correct the problem;
2. Repeat sampling and analysis of any violation and submit the results to the Department within 30 days after becoming aware of the violation;
3. Immediately notify the Department of the failure to comply; and
4. Submit a detailed written report to the Department within thirty days, unless requested earlier by the Department. The report should describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the resampling, and any other pertinent information.

Compliance with these requirements does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

S4. Best Management Practices for Boatyards

A. General Requirement

Permittees shall implement the applicable source reduction and best management practices (BMPs) included in this section. Boatyard employees, contractors, boat owners and other customers shall be informed and provided copies of these BMPs. The BMPs shall be posted conspicuously within the work areas.

B. Tidal Grids

Tidal grids shall only be used for emergency repair and marine surveying. Tidal grids shall not be used for surface preparation, painting, routine maintenance or other non-emergency uses.

C. In-Water Vessel Maintenance and Repair

The cleaning of any portion of a vessel's hull below the waterline while the vessel is afloat is prohibited.

Repairs, modifications, surface preparation or coating of a vessel's hull greater than 25% of the surface area above the waterline, excluding decks and superstructure, within a given calendar year while the vessel is afloat is prohibited. If more extensive work is necessary, then the vessel shall be hauled out into the upland portion of the facility covered by this general permit or an individual permit issued in accordance with the provisions of Chapter 173-220 WAC.

When stripping, sanding, scraping, grinding, sandblasting, painting, coating and/or varnishing any portion of a vessel in-water, all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris and other solids shall be collected and managed to prevent their release into the environment and entry into waters of the state.

Drop cloths, tarpaulins, drapes, shrouding or other protective devices shall be securely fastened between various portions of the vessel or between the vessel and the dock, pier, boathouse, bulkhead or shoreline; to collect all such materials. No work shall be done from a float or another boat. The cleanup of all collected materials shall be routinely undertaken to prevent their release into the environment and entry into waters of the state.

D. Upland Vessel Maintenance and Repair

When stripping, sanding, scraping, grinding, sandblasting, painting, coating and/or varnishing any portion of a vessel, all particles, oils, grits, dusts, flakes, chips, drips, sediments, debris and other solids shall be collected and managed to prevent their release into the environment and entry into waters of the state.

Drop cloths, tarpaulins, structures, drapes, shrouding or other protective devices shall be secured around the vessel to collect all such materials. The cleanup of all collected materials shall be routinely undertaken to prevent their release into the environment and entry into waters of the state. The use of vacuum sanders is recommended as a means to greatly reduce the amount of particulate released into the environment.

E. Solids Management

All particles, oils, grits, dusts, flakes, chips, drips, sediments, debris and other solids from work, service and storage areas of the boatyard shall be collected and managed on a routine basis to prevent their release into the environment and entry into waters of the state. Dry cleaning of solids shall be utilized whenever possible. Solids shall not be washed into any surface water or into a stormwater collection system.

Marine railways and dry docks shall be cleaned of all solids and garbage prior to being submerged to prevent such materials from being washed into waters of the state. Sediment traps shall be installed in all storm drains to intercept and retain solids prior to their discharge into waters of the state. Sediment traps, storm drains and catch basins shall be visually inspected weekly and cleaned, either manually or with a vacuum device, on a routine basis to prevent the entry of solids into waters of the state.

F. Chemical, Paint and Oil Management

1. Paint and Solvent Use

Paints and solvents shall be used in such a manner as to prevent their release into the environment and entry into waters of the state. Drip pans, drop cloths, tarpaulins or other protective devices shall be used during surface preparation, paint and solvent transfer, paint mixing, and application unless completely enclosed in a building.

When painting over water, paint shall be kept in a one gallon can or less. Paint cans shall be placed in a drip pan on top of a drop cloth or tarpaulin. Paints and solvents shall not be mixed over the water.

The use of tributyltin anti-fouling paint is severely restricted. Paints containing tributyltin are prohibited from use on any vessel less than 25 meters in length (82 feet). Public Law 100-333, 33 USCA 2401, allows only two exceptions: the painting of aluminum hulls of a vessel that is less than 25 meters in length, and the painting of outboard motors and outdrives of vessels less than 25 meters in length.

Only persons with a current Washington State Department of Agriculture pesticide applicator's license may purchase, handle and apply tributyltin.

2. Oils and Bilge Water Management

Hydraulic fluids, oily wastes and petroleum products shall not be discharged to waters of the state.

Bilge water discharges shall not cause any visible sheen in waters of the state. Bilge waters shall not be discharged to waters of the state if solvents, detergents, emulsifying agents or dispersants have been added. If a vessel is moved prior to pumping out the bilge, absorbent pads shall be used to prevent the accidental discharge of oils to waters of the state.

Drip pans or other containment devices shall be used during all petroleum product transfer operations to catch incidental leaks and spills. Absorbent pads and/or booms shall be available during over water petroleum transfer operations.

3. Sacrificial Anode (Zincs) Management

Zincs used as sacrificial anodes shall not be disposed of into waters of the state. Spent zincs shall be stored in a covered container and be recycled for their material value.

4. Chemical Management

Solid chemical products, chemical solutions, paints, oils, solvents, acids, caustic solutions and waste materials, including used batteries, shall be protected from inclement weather and stored in a manner which prevents their release into the environment and entry into waters of the state.

All chemical liquids and fluids shall be stored on a durable impervious bermed surface capable of containing 10% of the total tank and container volume or 110% of the largest tank or container volume, whichever is greater.

G. Wash Pad Decontamination

Prior to actively pumping or passively discharging any stormwater from the pressure wash pad to waters of the state, the pad shall be cleaned of all debris, paint waste, sludge and other solids. Then the entire pad shall be pressure washed into the collection sump and the sump cleaned of all debris and other solids.

H. Sewage and Gray Water Discharges

Owners of vessels moored for repair or under repair at a permitted facility shall be notified in writing by the Permittee that this permit prohibits the discharge of sewage (including discharges from the vessel's galley) into waters of the state. Sanitary waste discharges shall be to either the sanitary sewer or into a holding tank. At a minimum, the Permittee shall make available a list of contractors providing holding tank pumpout services.

S5. Solid Waste Management

The Permittee shall manage all solid waste materials, including leachate, to prevent their release into the environment and entry into waters of the state.

S6. Spill Plan

The discharge of oils and hazardous materials into waters of the state is strictly prohibited. The Permittee shall develop and implement a spill control plan designed to prevent spills, accidental releases and unplanned discharges. For the purpose of this permit condition, plans and manuals required by 40 CFR Part 112, and contingency plan requirements of Chapter 173-303 WAC, may suffice. The plan shall be kept on site and made available on request.

The spill control plan shall include:

1. A description of the reporting system which will be used to immediately alert facility managers and legal authorities (i.e. Department of Ecology and United States Coast Guard) in the event of a spill or unpermitted discharge.
2. A description of preventative measures and facilities, including an overall facility plot plan showing drainage patterns, which prevent, contain or treat spills or unpermitted discharges. The use of dispersants and emulsifiers is prohibited without specific approval from the Director of the Department of Ecology.
3. A list of all oils and chemicals used, processed or stored at the facility which may be spilled or discharged into waters of the state.

S7. Reporting for Zebra Mussel Control

If a boat/vessel is identified as a carrier of zebra mussels it shall be quarantined and the appropriate Ecology Regional Office notified within 24 hours. The boat/vessel shall not be released, relaunched, pressure washed or have it bilge pumped until it has been cleared by the U.S. Fish and Wildlife Service or the Washington State Department of Fish and Wildlife.

General Conditions

G1. Signatory Requirements

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer of at least the level of vice president of a corporation, a general partner of a partnership, or the proprietor of a sole proprietorship.
- B. All reports required by this permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under paragraph B.2. above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of B.2. must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G2. Right of Entry

The Permittee shall allow an authorized representative of the Department, upon the presentation of credentials and such other documents as may be required by law:

- A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit;

- B. To have access to and copy at reasonable times any records that must be kept under the terms of the permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G3. Permit Coverage Revoked

Pursuant to Chapter 43.21B RCW and Chapter 173-226 WAC, the director may require any discharger authorized by this general permit to apply for and obtain coverage under an individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

- A. Violation of any permit term or condition;
- B. Failure or refusal of the Permittee to allow entry as required by RCW 90.48.090;
- C. Obtaining permit coverage by misrepresentation or failure to disclose all relevant facts;
- D. A material change in quantity or type of waste disposal;
- E. A material change in the condition of the waters of the state;
- F. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;
- G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or
- H. Nonpayment of fees assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC.

Permittees who have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within 90 days from the time of revocation and is submitted along with a complete individual application.

G4. General Permit Modification and Revocation

General permits may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification, revocation and reissuance, or termination, include, but are not limited to, the following:

- A. When a change occurs in the technology or practice for control or abatement of pollutants applicable to the category of dischargers covered under this general permit;
- B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this general permit;
- C. When a water quality management plan containing requirements applicable to the category of discharger covered under this general permit is approved; or
- D. When information is obtained which indicates that cumulative effects on the environment from dischargers covered under this general permit are unacceptable.

G5. Reporting a Cause for Modification

The Permittee shall submit a new application, or a supplement to the previous application, along with required engineering plans and reports, whenever a material change in the quantity or type of discharge is anticipated which is not specifically authorized by this permit. This application shall be submitted at least 60 days prior to any proposed changes. Submission of this application does not relieve the Permittee of the duty to comply with the existing permit until it is modified or reissued.

G6. Plan Review Required

Prior to constructing or modifying any wastewater control facilities, an engineering report and detailed plans and specifications shall be submitted to the Department for approval in accordance with Chapter 173-240 WAC. Engineering reports, plans, and specifications should be submitted at least 180 days prior to the planned start of construction. Facilities shall be constructed and operated in accordance with the approved plans.

G7. Compliance With Other Laws and Statutes

Nothing in the permit shall be construed as excusing the Permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations (including Chapter 173-201A WAC).

G8. Duty to Reapply

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G9. Permit Transfer

Coverage under this general permit is automatically transferred to a new owner or operator if:

- A. A written agreement between the old and new owner or operator containing a specific date for transfer of permit responsibility, coverage, and liability is submitted to the Department;
- B. A copy of the permit is provided to the new owner and;
- C. The Department does not notify the Permittee of the need to modify the permit, submit a new application for coverage under this permit or request an application for an individual permit in accordance with the provisions of Chapters 173-216 WAC or 1173-220 WAC.

Unless this permit is automatically transferred according to section A. above, this permit may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by the Department.

G10. Control of Discharge for Compliance

The Permittee, in order to maintain compliance with its permit, shall control all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G11. Removed Substances

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall not be resuspended or reintroduced to the final effluent stream for discharge to state waters.

G12. Toxic Pollutants

If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation upon such pollutant in the permit, the Department shall

institute proceedings to modify or revoke and reissue the permit to conform to the new toxic effluent standard or prohibition.

G13. Other Requirements of 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this permit by reference.

G14. Additional Monitoring

The Department may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G15. Payment of Fees

The Permittee shall submit payment of fees associated with this permit as assessed by the Department. The Department may take enforcement actions or collections, revoke this permit or take other actions against the Permittee if the permit fees established under Chapter 173-224 WAC are not paid.

G16. Penalties for Violating Permit Conditions

Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation.

Appendix B

VANCOUVER

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LOTT

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Plant Manager,
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